

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANDRE L. REVIS,

Plaintiff,

v.

MOORE, *et al.*,

Defendants.

Case No. 1:22-cv-01189-JLT-BAM (PC)

ORDER DIRECTING CLERK OF COURT TO
CORRECT DOCKET ENTRY
(ECF No. 9)

ORDER DIRECTING CLERK OF COURT TO
FILE LODGED FIRST AMENDED
COMPLAINT
(ECF No. 9)

Plaintiff Andre L. Revis (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 26, 2022, the Court issued an order directing Plaintiff to file a signed complaint, not to exceed 25 pages in length, or a notice of voluntary dismissal. (ECF No. 4.) On November 30, 2022, following the expiration of the deadline, the Court issued findings and recommendations to dismiss this action, without prejudice, for failure to obey a court order and failure to prosecute. (ECF No. 5.) Plaintiff timely filed objections on December 9, 2022, indicating that he attempted to timely file a signed complaint, and requesting an extension of time to submit a properly signed complaint. (ECF No. 7.)

The Court granted the request and vacated the findings and recommendations. (ECF No. 8.) Plaintiff was directed to file a signed complaint or a notice of voluntary dismissal within thirty (30) days. (*Id.*)

1 Currently before the Court are Plaintiff's "Objections to Magistrate Judge's Findings and
2 Recommendations," filed December 16, 2022. (ECF No. 9.) Upon review of the document, the
3 filing also includes Plaintiff's signed first amended complaint, which is not reflected in the docket
4 entry. (*Id.* at 2–14.) Therefore, the Court will direct the Clerk of the Court to correct the docket
5 entry and file the signed first amended complaint.

6 By the instant order, the Court confirms that Plaintiff's first amended complaint has been
7 received and will be screened in due course.

8 Accordingly, IT IS HEREBY ORDERED as follows:

- 9 1. The Clerk of the Court is directed to correct the docket entry for Plaintiff's December 16,
10 2022, Objections to Findings and Recommendations, (ECF No. 9), to "Objections to
11 Magistrate Judge's Findings and Recommendations and Lodged First Amended
12 Complaint"; and
- 13 2. The Clerk of the Court is directed to file the first amended complaint, lodged on
14 December 16, 2022, (ECF No. 9, pp. 2–14).

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16 IT IS SO ORDERED.

17 Dated: December 19, 2022

/s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE
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